



CITY OF SAN JOSE, CALIFORNIA

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CIVIL SERVICE COMMISSION

Bill Brill, Chair
Jon Fitch, Vice Chair
Margaret Akdeniz
Peter Soulé
Issac Vaughn

CIVIL SERVICE COMMISSION Minutes of the Commission August 4, 2011

The Civil Service Commission of the City of San José convened on August 4, 2011, in Room W262, San José City Hall, at 6:00 p.m.

PRESENT: Commissioner Brill, Akdeniz, Fitch, Soulé and Vaughn.
ABSENT: None

Presiding Officer Akdeniz stated this meeting had been convened to hear the appeal of dismissal of Anthony Shaddox, Security Officer at the Convention Center, managed by Team San José. It was determined that the appellant, the appellant's representative, Andrew Baker; Deputy City Attorney Nkia Richardson, representing the respondent, City of San José; OER Representative, Marcus Hermanson, and AFSCME Business Agent Charles Allen, were present and all parties were ready to proceed.

Opening statements were made by Ms. Richardson and Mr. Baker.

Testimony was heard from Jerry Foshee, Team San José, and Narith Keo, Team San José. Testimony was heard from OER Senior Executive Analyst Jennifer Schembri.

At 8:41 p.m., the Commission recessed and reconvened at 9:00 p.m. with Commissioners Brill, Akdeniz, Fitch, Soulé, and Vaughn present.

City's Exhibits 1-5L and the Appellant's Exhibits 1-3 were admitted into evidence.

Testimony was heard from Daniel Helton, Team San José and the Appellant Anthony Shaddox.

Closing arguments were made by Ms. Richardson and Mr. Baker.

The Commission entered into Closed Session at 10:43 p.m. to deliberate. The Commission reconvened at 10:53 p.m. with Commissioners Brill, Akdeniz, Fitch, Soulé, and Vaughn present.

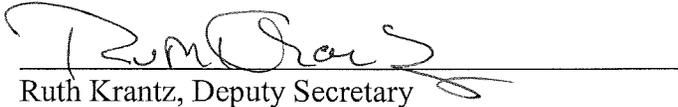
Following deliberation and discussion, the Commission reached their determination and unanimously upheld Charges #1 and #2, finding Appellant Shaddox in violation of the ethics code and ethics policy for the City of San José. The Commission, by unanimous vote, found the Employer failed to meet its burden of proof and overruled Charge #3. by Unanimous vote, the Commission overturned the termination of Anthony Shaddox, ordered that Mr. Shaddox receive a Documented Oral Counseling as to Charges #1 and #2, and that he be reinstated, with back pay and benefits, as of April 27, 2011.

The Commission adjourned at 10:57 p.m. to its regularly scheduled meeting of September 1, 2011 at 4:00 p.m.



MARGARET AKDENIZ, PRESIDING OFFICER

ATTEST:
CIVIL SERVICE COMMISSION
DENNIS HAWKINS, CMC, SECRETARY


Ruth Krantz, Deputy Secretary